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C O N F I D E N T I A L KABUL 001027

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STATE FOR SCA FOR A/S BOUCHER AND PMOON
STATE PASS TO USAID FOR AID/ANE, AID/CDHA/DG
NSC FOR JWOOD
OSD FOR MSHIVERS
CENTCOM FOR CG CJTF-82 AND POLAD

E.O. 12958: DECL: 04/22/2018

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SUBJECT: AMBASSADOR DELIVERS DEMARCHE ON U.S. CONCERNS OVER
ACTIONS AGAINST MEDIA FREEDOM

REF: KABUL 911

Classified By: Ambassador William B. Wood for reasons 1.4 (B) and (D)

11. (C) On April 22 the Ambassador informed Foreign Minister Spanta of his deep concern over the government's decision to ban the broadcast of certain Indian soap operas. The Ambassador underlined the issue was the action by Minister of Information and Culture (MOIC) Khoram to curtail media freedom. He added that U.S. concerns on this issue have made it necessary to consider disagreeing publicly, for the first time, with an action by the government. The Ambassador told Spanta the U.S. is committed to giving the Afghan government the room it needs and deserves to address difficult issues, but imposition of the ban (which targeted four popular soaps, each broadcast by a different private television station) crossed the line.

12. (C) Spanta underlined his "total loyalty" to President Karzai, but added that, as an advocate of human rights, he personally disagreed with actions taken by the government. He pointed to Minister Khoram as triggering the ban but added that it was not only Khoram who was pushing for greater restrictions on the media. He deplored the role of the Ulema Council, whose "members are paid by the government yet are pushing its own agenda which goes well beyond banning soaps." Spanta asserted that a large segment of the Afghan public opposed restrictions on the media, but so far lack an effective voice. The ForMin shared he was meeting with President Karzai immediately after his meeting with the Ambassador and signaled he would be reporting the conversation to him.

13. (SBU) President Karzai's statements on the subject have evolved. At a press conference on April 6, he stated that, "as long as I am President, there will never be any interference in media freedom." He nevertheless added a request that channels stop broadcasting programs against daily life and values of the Afghan people. He acknowledged the Minister of Information of Culture was concerned about certain programs, but reiterated that he had told the Minister not to act in a way inconsistent with freedom of media. In response to a question during his April 21 joint press conference with EU Javier Solana, Karzai defended the ban imposed by the Minister as an effort to protect Afghan lifestyle and culture. Karzai highlighted the judgement of the Ulema Council (which had recommended a wider ban --

including on cable TV networks, CD and DVDs and satellite dishes) in his remarks. Karzai acknowledged that only the Indian soaps targeted by the Ministry of Information and Culture had been banned. He highlighted that others continue to be broadcast.

14. (SBU) Minister Khoram may be finding he has overreached on this issue. The MOIC had threatened to refer the stations that did not comply with the ban by April 23 to the Office of the Attorney General. With two stations refusing to comply, the Ministry announced that the deadline has been extended to April 29. Afghanistan's National Journalists Union issued a letter describing the ban as inconsistent with the constitution and law and thus having no legal authority. The Union, according to media contacts, will soon begin airing pro-media freedom ads on several private televisions station.

The Chairman of the Afghan Independent Human Rights Commission told us she agrees that the ban has questionable legal standing. In her view, the Attorney General could simply say he does not have any authority relative to a ban announced by a minister. (She said she had also told the owner of TOLO TV, the largest private station, that if he wants to push the envelop on media freedom, she wishes he would choose a different vehicle than soaps.) Discussions of the issue in the Lower and Upper Houses of Parliament resulted in support for as well as criticisms of the ban. There have been demonstrations supporting the principle of media freedom, and TOLO's own weekly program of political satire included a segment in its April 23 broadcast that showed a coffin, marked media freedom, buried in a grave while onlookers wept.

WOOD